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| 09/821,344 | 03/29/2001 | Junichi Ito | OOCL-55 (6HS-01S0104) | 5341 |

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| EXAMINER |
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ZURITA, JAMES H

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| ART UNIT | PAPER NUMBER |
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3625

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,344

Applicant(s)

ITO, JUNICHI

Examiner

James H Zurita

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☒ Claim(s) 1-13 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. **Claim 1**, drawn to a method for data entry, classified in class 345/689.
- II. **Claims 2, 4-5**, drawn to methods for data entry and transmitting, classified in class 345/583.
- III. **Claim 3**, drawn to a method for storing data, classified in class 369/689.
- IV. **Claim 6**, drawn to a method for data entry, classified in class 345/689.
- V. **Claims 7-8**, drawn to methods for entering data and storing, classified in class 705/69.
- VI. **Claim 9**, drawn to a method for remote ordering, classified in class 705/26.
- VII. **Claim 10**, drawn to a method for remote ordering, classified in class 705/26.
- VIII. **Claims 11-12** drawn to a system for entering data, classified in class 345/689.
- IX. **Claim 13** drawn to a system for searching and retrieving database information, classified in class 707/1.

Group I (including Inventions I-VII) and **Group II** (inventions VIII-X) are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)).

In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because Group I require trivial involvement of technology and may, for the most part, be performed manually, while Group II requires the use of computers. Because these inventions are distinct for these reasons and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Within Group I (including Inventions I-VII)

Inventions I And II Are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention II does not require that the program be made available to a buyer by buying the product. The subcombination has separate utility in that invention II has a transmission step for transmitting information to a seller via a telecommunications line. Because these inventions are distinct for the reasons given above and the search required for invention I is not required for invention II, restriction for examination purposes as indicated is proper.

Inventions I And III Are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for

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patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention III does not require that the program be made available to a buyer by buying the product. The subcombination has separate utility in that invention III has an information recording step for recording said specifications modifying information on a predetermined recording medium. Because these inventions are distinct for the reasons given above and the search required for invention I is not required for invention III, restriction for examination purposes as indicated is proper.

Inventions I And IV Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention IV does not require the use of a program adapted to modify the specifications so as to satisfy a customer's demand. The subcombination has separate utility in that invention IV has an Information specification sheet. Because these inventions are distinct for the reasons given above and the search required for invention I is not required for invention IV, restriction for examination purposes as indicated is proper.

Inventions I And V Are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed

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does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention V Does not require The use of a program adapted to modify the specifications so as to satisfy his or her demand. The subcombination has separate utility in that invention V has Recording and sending steps. Because these inventions are distinct for the reasons given above and the search required for invention I is not required for invention V, restriction for examination purposes as indicated is proper.

Inventions I And VI Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VI does not require that the program be made available to a buyer by buying the product. The subcombination has separate utility in that invention VI has modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search required for invention I is not required for invention VI, restriction for examination purposes as indicated is proper.

Inventions I And VII Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as

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claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VII does not require that the program be made available to a buyer by buying the product. The subcombination has separate utility in that invention VII has modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search required for invention I is not required for invention VII, restriction for examination purposes as indicated is proper.

Inventions II And III Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention III Does not require A transmission step for transmitting information to a seller via a telecommunications line. The subcombination has separate utility in that invention III has recording and sending steps. Because these inventions are distinct for the reasons given above and the search required for invention II is not required for invention III, restriction for examination purposes as indicated is proper.

Inventions II And IV Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as

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claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention IV Does not require A transmission step for transmitting information to a seller via a telecommunications line. The subcombination has separate utility in that invention IV has an Information specification sheet. Because these inventions are distinct for the reasons given above and the search required for invention II is not required for invention IV, restriction for examination purposes as indicated is proper.

Inventions II And V Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention V Does not require A transmission step for transmitting information to a seller via a telecommunications line. The subcombination has separate utility in that invention V has recording and sending steps. Because these inventions are distinct for the reasons given above and the search required for invention II is not required for invention V, restriction for examination purposes as indicated is proper.

Inventions II And VI Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as

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claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VI Does not require A transmission step for transmitting information to a seller via a telecommunications line. The subcombination has separate utility in that invention VI has Modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search required for invention II is not required for invention VI, restriction for examination purposes as indicated is proper.

Inventions II And VII Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VII Does not require A transmission step for transmitting information to a seller via a telecommunications line. The subcombination has separate utility in that invention VII has modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search required for invention II is not required for invention VII, restriction for examination purposes as indicated is proper.

Inventions III And IV Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention IV Does not require An information preparation program adapted to modify the specifications of the product so as to satisfy his or her demand. The subcombination has separate utility in that invention IV has Information specification sheet. Because these inventions are distinct for the reasons given above and the search required for invention III is not required for invention IV, restriction for examination purposes as indicated is proper.

Inventions III And V Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention V Does not require An information preparation program adapted to modify the specifications of the product so as to satisfy his or her demand. The subcombination has separate utility in that invention V has an information specification sheet. Because these inventions are distinct for the reasons given above and the search required for invention III is not required for invention V, restriction for examination purposes as indicated is proper.

Inventions III And VI Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VI does not require an information preparation program adapted to modify the specifications of the product so as to satisfy his or her demand. The subcombination has separate utility in that invention VI has Modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search required for invention III is not required for invention VI, restriction for examination purposes as indicated is proper.

Inventions III And VII Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VII does not require an information preparation program adapted to modify the specifications of the product so as to satisfy his or her demand. The subcombination has separate utility in that invention VII has Modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search

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required for invention III is not required for invention VII, restriction for examination purposes as indicated is proper.

Inventions IV And V Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention V does not require that the sheet made available to a buyer buying the product. The subcombination has separate utility in that invention V has a record and sending steps. Because these inventions are distinct for the reasons given above and the search required for invention IV is not required for invention V, restriction for examination purposes as indicated is proper.

Inventions IV And VI Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VI does not require a step for modifying specifications as prepared by a buyer. The subcombination has separate utility in that invention VI has a modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the

reasons given above and the search required for invention IV is not required for invention VI, restriction for examination purposes as indicated is proper.

Inventions IV And VII Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VII does not require a step for modifying specifications as prepared by a buyer. The subcombination has separate utility in that invention VII has Modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search required for invention IV is not required for invention VII, restriction for examination purposes as indicated is proper.

Inventions V And VI Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VI does not require recording and sending steps. The subcombination has separate utility in that invention VI has modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search required for

invention V is not required for invention VI, restriction for examination purposes as indicated is proper.

Inventions V And VII Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VII does not require recoding and sending steps. The subcombination has separate utility in that invention VII has modifying and Shipping back a modified electronic appliance. Because these inventions are distinct for the reasons given above and the search required for invention V is not required for invention VII, restriction for examination purposes as indicated is proper.

Inventions VI And VII Are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention VII does not require a step of manufacturing electronic appliances. The subcombination has separate utility in that invention VII has a step of buying an electronic appliance with an information presentation sheet. Because these inventions are distinct for the reasons given above

and the search required for invention VI is not required for invention VII, restriction for examination purposes as indicated is proper.

Within Group II (including Inventions VIII-IX)

Inventions VIII And IX Are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention IX does not require displaying the requests for a plurality of modifications to be made to the specifications of the camera. The subcombination has separate utility in that invention IX has means for specifying the data base for the modifications to be made to the specifications of the camera and the actual modifying operations to be carried out corresponding to the modifications made to the specifications for the purpose of defining the camera. Because these inventions are distinct for the reasons given above and the search required for invention VIII is not required for invention IX, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Zurita whose telephone number is 703-605-4966. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 703-308-3588. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JE
James Zurita
Patent Examiner
Art Unit 3625
20 September 2004


Jeffrey A. Smith
Primary Examiner